

**ASSEMBLY BILL**

**No. 2687**

---

**Introduced by Assembly Member Bocanegra**

February 21, 2014

---

An act to amend Section 1808.4 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2687, as introduced, Bocanegra. Vehicles: confidential home address.

Existing law makes confidential, upon request, the home addresses of specified governmental officials, peace officers, state employees, and certain other persons that appear in the records of the Department of Motor Vehicles. Existing law prohibits the disclosure of the confidential home addresses described above, except as specified. Existing law requires that a record of the department containing a confidential home address be open to public inspection, as specified, if the address is completely obliterated or otherwise removed from the record.

This bill would include a state employee classified as a Licensed Program Analyst in the provisions described above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 1808.4 of the Vehicle Code is amended  
2     to read:

1 1808.4. (a) For all of the following persons, his or her home  
2 address that appears in a record of the department is confidential  
3 if the person requests the confidentiality of that information:

- 4 (1) Attorney General.
- 5 (2) State Public Defender.
- 6 (3) A Member of the Legislature.
- 7 (4) A judge or court commissioner.
- 8 (5) A district attorney.
- 9 (6) A public defender.
- 10 (7) An attorney employed by the Department of Justice, the  
11 office of the State Public Defender, or a county office of the district  
12 attorney or public defender.
- 13 (8) A city attorney and an attorney who submits verification  
14 from his or her public employer that the attorney represents the  
15 city in matters that routinely place the attorney in personal contact  
16 with persons under investigation for, charged with, or convicted  
17 of, committing criminal acts, if that attorney is employed by a city  
18 attorney.
- 19 (9) A nonsworn police dispatcher.
- 20 (10) A child abuse investigator or social worker, working in  
21 child protective services within a social services department.
- 22 (11) An active or retired peace officer, as defined in Chapter  
23 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
24 Code.
- 25 (12) An employee of the Department of Corrections and  
26 Rehabilitation, Division of Juvenile Facilities, or the Prison  
27 Industry Authority specified in Sections 20403 and 20405 of the  
28 Government Code.
- 29 (13) A nonsworn employee of a city police department, a county  
30 sheriff's office, the Department of the California Highway Patrol,  
31 a federal, state, or local detention facility, or a local juvenile hall,  
32 camp, ranch, or home, who submits agency verification that, in  
33 the normal course of his or her employment, he or she controls or  
34 supervises inmates or is required to have a prisoner in his or her  
35 care or custody.
- 36 (14) A county counsel assigned to child abuse cases.
- 37 (15) An investigator employed by the Department of Justice, a  
38 county district attorney, or a county public defender.
- 39 (16) A member of a city council.
- 40 (17) A member of a board of supervisors.

1 (18) A federal prosecutor, criminal investigator, or National  
2 Park Service Ranger working in this state.

3 (19) An active or retired city enforcement officer engaged in  
4 the enforcement of the Vehicle Code or municipal parking  
5 ordinances.

6 (20) An employee of a trial court.

7 (21) A psychiatric social worker employed by a county.

8 (22) A police or sheriff department employee designated by the  
9 Chief of Police of the department or the sheriff of the county as  
10 being in a sensitive position. A designation pursuant to this  
11 paragraph shall, for purposes of this section, remain in effect for  
12 three years subject to additional designations that, for purposes of  
13 this section, shall remain in effect for additional three-year periods.

14 (23) A state employee in one of the following classifications:

15 (A) Licensing Registration Examiner, Department of Motor  
16 Vehicles.

17 (B) Motor Carrier Specialist 1, Department of the California  
18 Highway Patrol.

19 (C) Museum Security Officer and Supervising Museum Security  
20 Officer.

21 (D) *Licensed Program Analyst*.

22 (24) (A) The spouse or child of a person listed in paragraphs  
23 (1) to (23), inclusive, regardless of the spouse's or child's place  
24 of residence.

25 (B) The surviving spouse or child of a peace officer, as defined  
26 in Chapter 4.5 (commencing with Section 830) of Title 3 of Part  
27 2 of the Penal Code, if the peace officer died in the line of duty.

28 (C) (i) Subparagraphs (A) and (B) shall not apply if the person  
29 listed in those subparagraphs was convicted of a crime and is on  
30 active parole or probation.

31 (ii) For requests made on or after January 1, 2011, the person  
32 requesting confidentiality for their spouse or child listed in  
33 subparagraph (A) or (B) shall declare, at the time of the request  
34 for confidentiality, whether the spouse or child has been convicted  
35 of a crime and is on active parole or probation.

36 (iii) Neither the listed person's employer nor the department  
37 shall be required to verify, or be responsible for verifying, that a  
38 person listed in subparagraph (A) or (B) was convicted of a crime  
39 and is on active parole or probation.

(b) The confidential home address of a person listed in subdivision (a) shall not be disclosed, except to any of the following:

(1) A court.

(2) A law enforcement agency.

(3) The State Board of Equalization.

(4) An attorney in a civil or criminal action that demonstrates to a court the need for the home address, if the disclosure is made pursuant to a subpoena.

(5) A governmental agency to which, under any provision of law, information is required to be furnished from records maintained by the department.

(c) (1) A record of the department containing a confidential home address shall be open to public inspection, as provided in Section 1808, if the address is completely obliterated or otherwise removed from the record.

(2) Following termination of office or employment, a confidential home address shall be withheld from public inspection for three years, unless the termination is the result of conviction of a criminal offense. If the termination or separation is the result of the filing of a criminal complaint, a confidential home address shall be withheld from public inspection during the time in which the terminated individual may file an appeal from termination, while an appeal from termination is ongoing, and until the appeal process is exhausted, after which confidentiality shall be at the discretion of the employing agency if the termination or separation is upheld. Upon reinstatement to an office or employment, the protections of this section are available.

(3) With respect to a retired peace officer, his or her home address shall be withheld from public inspection permanently upon request of confidentiality at the time the information would otherwise be opened. The home address of the surviving spouse or child listed in subparagraph (B) of paragraph (24) of subdivision (a) shall be withheld from public inspection for three years following the death of the peace officer.

(4) The department shall inform a person who requests a confidential home address what agency the individual whose address was requested is employed by or the court at which the judge or court commissioner presides.

1 (d) A violation of subdivision (a) by the disclosure of the  
2 confidential home address of a peace officer, as specified in  
3 paragraph (11) of subdivision (a), a nonsworn employee of the  
4 city police department or county sheriff's office, or the spouses or  
5 children of these persons, including, but not limited to, the  
6 surviving spouse or child listed in subparagraph (B) of paragraph  
7 (24) of subdivision (a), that results in bodily injury to the peace  
8 officer, employee of the city police department or county sheriff's  
9 office, or the spouses or children of these persons is a felony.

O